IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929

WP(C).No. 22573 of 2007(K)

PETITIONER:

SHIERLY POULOSE,
KOLLAMKUDY HOUSE, M-10/18,
CHANGAMPUZHA NAGAR, KALAMASSERY,
KOCHI - 682 033.

BY ADV. SRI.MURALI PURUSHOTHAMAN
SRI.DEEPU LAL MOHAN

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,
COLLECTORATE, ERNAKULAM.

2. THE ADDITIONAL DISTRICT MAGISTRATE,
COLLECTORATE, ERNAKULAM.

3. THE TAHSILDAR,
KANAYANNUR TALUK, ERNAKULAM.

4. THE VILLAGE OFFICER,
KADAMAKKUDY VILLAGE,
KANAYANNUR TALUK,
ERNAKULAM.

BY GOVERNMENT PLEADER SRI. I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23.7.07 , THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. Siri Jagan, J.

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W.P(C) No. 22573 of 2007

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Dated this, the 23rd July, 2007.

J U D G M E N T

Heard the learned counsel for the petitioner and the learned Government pleader. The petitioner's allegation in this writ petition is that the respondents are selling sand stored by the petitioner, twelve years back for the purpose of construction of residential house, which she could not complete, by auction. The petitioner submits that as is evident from Ext.P2 photographs, it is very clear that the sand has been stored there for years. The petitioner submits that now without any notice or hearing, the respondents have fixed public auction of the sand today at 11 a.m.

After hearing both sides, I dispose of this writ petition with a direction to the 1st respondent not to sell the sand without issuing a notice to show cause, hearing the petitioner and passing a speaking order dealing with the contentions of the petitioner.

Sd/-

S. SIRI JAGAN, JUDGE.

Acd/

Issue certified copy today itself.